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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CRAIG OTIS GIBSON,
Plaintiff,
v.
JAMES DZURENDA, et al.
Defendants.

Case No. 3:18-cv-00190-MMD-WGC

**ORDER GRANTING
DEFENDANTS' MOTION FOR
EXTENSION OF TIME
TO FILE THE NOTICE OF
ACCEPTANCE OF SERVICE
(FIRST REQUEST)**

Defendants, James Dzurenda, Miguel Flores-Nava, Paul Hunt, and Brian Williams, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada, and Andrea M. Dominguez, Deputy Attorney General, hereby move for an extension of time to file the notice of acceptance of service. This motion is based on the following Memorandum of Points and Authorities and on all papers and pleadings on file.

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MEMORANDUM OF POINTS AND AUTHORITIES

I. FACTUAL ANALYSIS

This is an inmate civil rights action brought pursuant to 42 U.S.C. § 1983. Craig Otis Gibson (Gibson) is an inmate in the custody of the Nevada Department of Corrections (NDOC), currently housed at Ely State Prison, (ESP). Gibson alleges violations of the First, Fourth, and Eighth Amendment of the United States Constitution. (ECF No. 111)

On October 20, 2020 Gibson filed a Second Amended Complaint. (ECF No. 112.) On October 20, 2020 the Court entered an Order screening the second amended complaint, and allowing Gibson to proceed on fourteen claims, naming forty two (42) total defendants. (ECF No. 111.)

As counsel for Defendants was only recently assigned this case, Defendants respectfully request an extension of time of thirty days to file the notice of acceptance of service. Counsel requires additional time to familiarize herself with the claims and case. Further, Plaintiff's Second Amended complaint names thirty one (31) new defendants. The undersigned needs additional time to make a good faith effort to identify the new defendants.

II. LEGAL STANDARD

Rule 6(b)(1), Federal Rules of Civil Procedure, governs extensions of time and states:

When an act may or must be done within a specified time, the court may, for good cause, extend the time: (A) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires; or (B) on motion made after the time has expired if the party failed to act because of excusable neglect.

Good cause exists to extend the time to file the notice of acceptance of service. Defendants' request will not hinder or prejudice Plaintiff's case but will allow for a thorough opportunity to try and identify the thirty one (31) additional defendants. The requested extension of time should permit Defendants time to adequately research the named individuals.

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1 **III. CONCLUSION**

2 Based on the foregoing, Defendants respectfully request that their motion for an
3 extension of time for a period of thirty days, to **December 3, 2020**, in which to file the
4 notice of acceptance of service be granted.

5 DATED this 4th day of November, 2020.

6 AARON D. FORD
7 Attorney General

8 By: /s/ Andrea M. Dominguez
9 ANDREA M. DOMINGUEZ, Bar No. 15209
10 Deputy Attorney General

11 *Attorneys for Defendants*

12 ORDER

13 IT IS SO ORDERED.

14 DATED: November 5, 2020.

15 William G. Cobb
16 UNITED STATES MAGISTRATE JUDGE